

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

**OTTO R. ROWELL,
LOWELL ELDON FANNING,**

Defendants.

8:13CR317

ORDER

This matter is before the court is defendant Otto R. Rowell's motion to continue trial [46] as counsel needs additional time to prepare for trial. The court finds good cause being shown and the trial shall be continued. The defendant shall comply with NECrimR 12.1(a).

IT IS ORDERED that the motions to continue trial is granted, as follows:

1. The jury trial **for all defendants** now set for January 14, 2014 is continued to **February 11, 2014.**

2. Defendant is ordered to file a waiver of speedy trial as soon as practicable.

3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and February 11, 2014**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED January 6, 2014.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge